

Appropriations and Finance Committee
LTBB Governmental Administration Building
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Regular Meeting
December 10, 2019

Call to Order: **9:07 a.m.**

Committee Member Roll Call: Councilor Leroy Shomin, Secretary Julie Shananaquet, Treasurer Marcella Reyes

Absent: none

Tribal Councilors present: Legislative Leader Emily Proctor, Councilor Fred Kiogima

Legislative Staff: Sr Financial Analyst Rachel Cope, Legislative Services Attorney Donna Budnick, Legislative Administrative Assistant Linda Gokee

Executive Staff/Official Present: Grant Writers Amber Holt and Alison Simon, Chief Financial Officer Carrie Carlson, Natural Resources Director Doug Craven, Vice Chairperson Stella Kay

Tribal Court Staff/Official Present: Tribal Court Administrator Matt Lesky

Public: none

Invited Guests: General Manager Ron Olson, Director of Finance Roger Borton, Director of Property Operations Barry Laughlin, Director of Slots Dennis Shananaquet

Closed Session: Yes

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to adopt the Agenda of December 10, 2019 as presented.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Phone Polls:

-11/18/19 Reason for Phone Poll: Motion to recommend to Tribal Council to approve Certified Motion # 112119-05 Request for Funding from U.S. Environmental Protection Agency, FY 2020 Request for Applications from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319.

Phone Poll Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Comments: none

Motion carried.

-11/26/19 Reason for phone poll: Motion to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for Citizenship Commission FY 2019 in the amount of \$1500.00

Phone poll Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent
Comments: None
Motion carried.

New Business:

Discussion: Good Health and Wellness in Indian Country

- 1 FTE
- Community Health Specialist
- Expand harvesting at farm
- More coolers
- Decolonized recipes
- 5 years-\$100,000
- Will also pay for 1 additional day for Traditional healers & dietician

Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Certified Motion # 121919-01 Request for Funding from the Great Lakes Inter-Tribal Council, Inc., Great Lakes Inter-Tribal Epidemiology Center, Good Health and Wellness in Indian Country.

Vote: 2 Yes, 1 No, 0 Abstain, 0 Absent
Motion carried.

Discussion: Preservation Assistance Grants for Smaller Institutions FY 2020

- Develop a preservation plan for archives and records
- Need for acid free cartons (boxes) and folders for pictures, documents
- 15k and no match

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to recommend to Tribal Council to approve Certified Motion # 121919-02 Funding from the National Endowment for the Humanities Division of Preservation Assistance Grants for Smaller Institutions FY 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent
Motion carried.

Discussion: FY 2020 Justice for Families Program

- Case Manager/Coordinator and purchase a vehicle to provide transportation in tri county area
- Expand legal assistance to 27 county area – Personal Protection Orders, divorce, custody. Any type of service which resulted from violence.

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to approve Certified Motion # 121919-03 Request for Funding from the United States Department of Justice, Office on Violence Against Women (OVW), FY 2020 Justice for Families Program.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent
Motion carried.

Discussion: Road Maintenance Program Contract FY 2020

- Annual funds
- Based on miles of BIA roads

- These funds are based on the ability to maintain
- Split between planning and facility
- Facility-salting
- Planning-fixing
- Amount awarded-unknown

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to recommend to Tribal Council to approve Certified Motion # 121919-04 Request for Funding from the U.S. Department of the Interior, Bureau of Indian Affairs, Road Maintenance Program Contract FY 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: Circle of Flight Program FY 2020

- Annual funds
- Competitive funding
- Primarily for activities conducted for fowl habitat and wild rice
- Turtle habitat
- Supports staff

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to approve Certified Motion # 121919-05 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Circle of Flight Program FY 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: Invasive Species Habitat FY 2020

- Competitive funding from BIA
- Focus on work related to invasive species management plan aquatic and terrestrial

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to approve Certified Motion # 121919-06 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Invasive Species Project FY 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: Endangered Species Project FY 2020

- Highly Competitive funding from BIA
- Focus on work related to eagle aviary particularly to site design.

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to approve Certified Motion # 121919-07 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Endangered Species Project FY 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: Tannery Creek Crossing Improvement Program

- Repairing 3rd crossing and will be working with road commission

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to recommend to Tribal Council to approve Certified Motion # 121919-08 Request for Funding from U.S. Department of Agriculture, Natural Resources Conservation Service, FY 2020 Environmental Quality Incentives Program (EQIP), Tannery Creek Crossing Improvement Program.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

10:01 a.m. Break

10:13 a.m. Resume

Discussion: Gaming Authority FY 2020 Budget

- New line items added
 - Internal Non-Cash Services +\$3,000.
 - Employee Relations +\$25,000

Discussion: Odawa Casino Resort Blue Water Contract update

10:26 a.m. Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to enter into Closed Session for Confidential Business Matters.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

11:33 a.m. Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to return to Open Session.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: Requirement of a Resolution for funding requests and whose responsibility it is to develop it based on the check list of the Budget Statute.

- Money is already appropriated and is Tribal Council's decision to allow a carry-over
- If allowed, need official action as statute doesn't address.

Discussion: on what constitutes supplemental funding, IE: carryover of funds from one year to the next.

- Money already appropriated to department.
- Carryover funds can be explicit
- Supplemental funding is brand new funding that wasn't already allocated.

Discussion: Tribal Court carry-over of Funds to Purchase Database System

- To carry-over \$51,000 from 2019 into 2020 for the purpose of data recovery, development and implementation of new database system for Tribal Court.
- Data lost due to cyber-attack in February 2019.
- Claim sent to Tribal insurance.

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to recommend to Tribal Council to adopt Tribal Resolution Tribal Court Carryover of Funds to Purchase Database System for Recovery from Ransomware Attack.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

12:16 p.m. Break

12:24 p.m. Return

Discussion: Developing Cross Village Campground

- Developing a site plan for expanding camping
- This is a phased project
- This will come out of Treaty Rights Enhancement grant
- There is no public camping between Petoskey and Mackinaw.
- Will generate revenue
- Bookings through Hipcamp

Appropriations and Finance Committee Suggestions:

- Need phase out approach
- Site plan
- Need cost estimate
- Councilor Leroy Shomin prefers supplemental funding versus carry-over funding

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to **not** recommend to Tribal Council to adopt Tribal Resolution Authorizing the Natural Resources Department to carry over funds for the purpose of developing Cross Village Campground.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: Departments absorbing departments and the moving of their budgets. IE: DOC to Accounting

- Remains separate

Discussion: Living Wage Implementation

- Payroll received spreadsheet last Thursday
- Angela is working on
- Retro to September 8, 2019
- Angela will work on Living Wage from 01-01-2020

Discussion: Posting of the Living Wage for 2020 per Tribal Resolution # 102619-05 by December 15, 2019

- Reviewed Living Wage Memo draft.
- Added verbiage: This memo will be posted on the Tribal website

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to acknowledge receipt of Memo dated 12-10-19 from Treasurer Marcella Reyes regarding Tribal Resolution 102619-05 that establishes the Living Wage for Jan 1, 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Discussion: 2021 Budget Formulation Process Calendar

- Dates added

Motion made by Secretary Julie Shananaquet Councilor and supported by Leroy Shomin to approve the 2021 Budget Formulation Process Calendar.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to schedule a Special Appropriations and Finance Committee meeting for Jan 28, 2020. In the event of inclement weather, alternate meeting dates will be January 30 or January 31, 2020.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Sr. Financial Analyst Report:

- Free Play Plan
- Memo for Living Wage
- Tribal Resolution for quill art
- Reallocating money for Odawa Construction and Odawa Aviation

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to acknowledge receipt of Senior Financial Analyst Rachel Cope's verbal and written report for December 10, 2019.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

2:29 p.m. Break

2:37 p.m. Resume

Old Business:

Discussion: Distribution Policy

- Reviewed Senior Financial Analyst Rachel Cope's Distribution Plan under her report
- Reviewed Economic Business and Development Director Billi Jo Head's Distribution Plan
- Have steps in policy i.e. Corporations/Charters will present to Tribal Council in December to discuss anticipated revenue.
- Have revenue restricted policies

Discussion: Odawa Construction update

- Articles of Incorporation
- By-laws
- Minutes

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend Tribal Council to conduct phone poll to post to the legislative calendar the Budget Formulation and Modification Statue.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to accept Economic Business and Development Director Billi Jo Head's verbal and written report for December 10, 2019.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to amend the agenda to include the FY 2020 Gaming Authority Budget, and Odawa Casino Resort Closed Session material.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to acknowledge receipt of the 2020 Gaming Authority Budget and recommend Tribal Council approval.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to acknowledge receipt of Closed Session information provided by Odawa Casino Resort Staff on December 10, 2019.

Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carried.

3:49 p.m. Secretary Julie Shananaquet exits

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to approve the minutes of November 12, 2019 as presented.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Secretary Julie Shananaquet)

Motion carried.

Public Comment:

3:51 p.m. Open and Closed- NO COMMENTS

Discussion: Odawa Casino Resort Petoskey and Mackinaw City

- Odawa Casino Resort and 5/3 update
- New commitment letter
- New time frame (phases)
- Payback

Adjourn:

4:00 p.m. Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to adjourn.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Secretary Julie Shananaquet)

Motion carried.

Next Regular Meeting date:
Tuesday, January 14, 2020 at 9:00 a.m.